

Message Text

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ACTION EUR-25

INFO OCT-01 ADP-00 EURE-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-15 ACDA-19 IO-13 MBFR-03 SAJ-01 TRSE-00 RSR-01

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P R 031908Z AUG 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6686 PRIORITY

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 11169

E.O. 11652: GDS

TAGS: PINT, GW, WB, PFOR, PGOV

SUBJECT: PRESS COMMENTS ON CONSTITUTIONAL COURT
DECISION

REF: BONN 10905

1. AT AUGUST 3 BONN GROUP MEETING THE FONOFF REP
(BLECH) SAID INITIAL STUDY OF THE FRG CONSTITUTIONAL
COURT DECISION DECLARING THE BASIC TREATY CONSTITUTIONAL
(REFTEL) HAD REVEALED SOME SECTIONS WHICH REFERRED TO
THE LEGAL STATUS OF BERLIN (EMBASSY WILL TRANSMIT BY
SEPTTEL). BLECH SAID THE ENTIRE COURT DECISION HAD NOW
BEEN PUBLISHED IN THE BAYERN KURIER, AND ADDED THAT THE
FRG ANTICIPATES SOME PRESS QUESTIONS. HE SAID THE FRG
DOES NOT PLAN TO COMMENT UNTIL THE FEDERAL CABINET HAS
A CHANCE TO DISCUSS THE COURT DECISION AT A MEETING ON
AUGUST 8. AFTER THAT POINT, BLECH SAID HE THOUGHT FRG
COMMENTS MIGHT REFER TO THE FEDERAL GOVERNMENT'S STATE-
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MENT ON THE OCCASION OF THE SIGNING OF THE QUADRIPARTITE

AGREEMENT ON SEPTEMBER 3, 1971, IN PARTICULAR PARA 5 OF THAT STATEMENT. (LATTER IS CONTAINED IN FEDERAL PRESS OFFICE PAMPHLET ON QA.) BLECH THEN ASKED ALLIES WHAT THEY PLANNED TO SAY SHOULD PRESS QUESTIONS ON THE BERLIN ASPECTS OF THE DECISION BE DIRECTED TO THEIR EMBASSIES.

2. THE FRENCH REP (BELLESCIZE) SAID HE THOUGHT HIS AUTHORITIES WOULD PREFER NOT TO COMMENT SUBSTANTIVELY ON THE COURT'S DECISION INASMUCH AS IT DID NOT AFFECT ALLIED RIGHTS IN BERLIN. THE UK REP (CROMARTIE) AGREED WITH BELLESCIZE. HE SAID THAT PRELIMINARY UK EMBASSY VIEW WAS THAT THE COURT HAD ONLY RULED ON FEDERAL CONSTITUTIONAL LAW, WHICH WOULD NOT AFFECT BERLIN UNTIL APPLIED THERE THROUGH THE ALLIES. CROMARTIE THEN PROPOSED THE FOLLOWING STATEMENT FOR ALLIES AS GUIDELINES ON IF-ASKED BASIS: "WE ARE NATURALLY STUDYING THE JUDGMENT. THE ALLIED VIEW OF THE STATUS OF BERLIN HAS OF COURSE BEEN MADE CLEAR ON MANY OCCASIONS IN THE PAST." THE US AND FRENCH REPS AGREED THIS WOULD BE AN APPROPRIATE LINE. BLECH SAID IT SEEMED TO STRIKE THE RIGHT NOTE, AND ALL AGREED TO RECOMMEND TO CAPITALS THAT STATEMENTS TO THE PRESS BE ALONG THE LINES OF THE BRITISH DRAFT QUOTED ABOVE.
HILLENBRAND

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